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NOTES OF CASES.

CONSTITUTIONAL LAW—EQUAL PROTECTION OF THE LAWS.—An act making all corporations liable for injuries to employees through defective machinery, notwithstanding the employees had knowledge of the defect, when the same liability is not placed on private individuals, is held, in *Ballard v. Mississippi Cotton Oil Co.* (Miss.), 62 L. R. A. 407, to deny the corporations the equal protection of the laws.

LIMITATIONS—ESTOPPEL TO PLEAD.—Estoppel to plead the statutory bar to an action for personal injuries is held, in *Holman v. Omaha & C. B. R. & Bridge Co.* (Iowa), 62 L. R. A. 395, to arise where, pending negotiations for settlement, defendant gave assurance that the bar would not be pleaded, and plaintiff, relying thereon, neglected to bring suit until the statutory period had elapsed.

MARRIAGE—ANNULMENT—FRAUD.—A woman who marries a man afflicted with a chronic and contagious venereal disease may, before consummation of the marriage, maintain an action for its annulment on the ground of fraud. The fact that about two years after the marriage the husband had practically recovered from the disease is not a defense to the action. *Svenson v. Svenson* (Ct. App. N. Y.), N. Y. Law Journal, March 22, 1904.

CONSTITUTIONAL LAW—DUE PROCESS.—A decision by a state supreme court that the granting of a nonsuit, instead of submitting the case to the jury, where the facts are admitted, does not deprive plaintiff of due process of law, is held, in *Apex Transportation Co. v. Garbade* (Or.), 62 L. R. A. 513, not to raise a federal question which will entitle him to a writ of error from the Supreme Court of the United States. With this case is an extensive note marshaling all the other authorities on the question, What adjudications of state courts can be brought up for review in the Supreme Court of the United States by writ of error to those courts?

FEDERAL PRACTICE—CRIMINAL LAW—INDICTMENTS—DUPLICITY.—Federal courts, in matters of proceedings on error, follow the rules of the common law, without regard to the practice of the state courts. Duplicity in an indictment cannot be taken advantage of on either a general demurrer or a motion in arrest of judgment. Upon a count charging that defendant "did make and use and cause to be made and used a certain false voucher," it was held that the objection of multifariousness, if any existed, could not be taken advantage of in this manner. *Pooler v. United States* (C. C. A. First Circuit), 127 Fed. 509. Citing upon the last mentioned point, *Anderson v. United States*, 170 U. S. 481; *Connors v. United States*, 158 U. S. 408.